

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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07-CV-3170 (PAC)

DARREN BROOKS, by his f/n/g DENNIS
SMITH & DENNIS SMITH, ind.,

Plaintiffs,

- against -

THE CITY OF NEW YORK, POLICE
OFFICER BRIAN LUCKOWSKI, SHIELD #
23188, POLICE OFFICER JOHN ACCONI,
SHIELD # 5075, & POLICE OFFICER
HECTOR MORALES,

Defendants.

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AMENDED
CIVIL CASE MANAGEMENT PLAN
AND SCHEDULING ORDER

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DOC #: _____
DATE FILED: FEB 28 2008

The Civil Case Management Plan and Scheduling Order, entered herein on July 19, 2007, is hereby amended as follows:

1. All fact discovery shall be completed no later than **April 15, 2008**.
2. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the written consent of all parties without application to the Court, provided all fact discovery is completed by the date set forth in paragraph 5 above:
 - a. Depositions to be completed by **March 30, 2008**.
 - b. Requests to Admit to be served no later than **March 15, 2008**.
3. a. All expert discovery shall be completed no later than **May 31, 2008**.
 - b. No later than thirty (30) days prior to the date in paragraph 1, i.e. the completion of all fact discovery, the parties shall meet and confer on a schedule for expert disclosures, including reports, production of underlying documents and depositions, provided that (i) plaintiff(s)' expert report(s) shall be due before those of defendant(s)' expert(s); and (ii) all expert discovery shall be completed by the date set forth in paragraph 1(a).
4. The Final Pretrial Submission Date is thirty (30) days following the close of fact and expert discovery (whichever is later). By the Final Pretrial Submission Date, the parties shall submit a Joint Pretrial Order prepared in accordance with the undersigned's Individual Practices

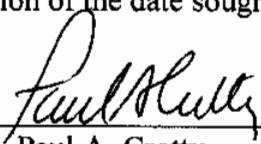
and Rule 26(a)(3), Fed. R. Civ. P. Any motions *in limine* (for which the pre-motion conference requirement is waived) shall be filed by the Final Pretrial Submission Date. If this action is to be tried before a jury, proposed *voir dire*, jury instructions and verdict form shall also be filed by the Final Pretrial Submission Date. Counsel are required to meet and confer on a joint submission of proposed jury instructions and verdict form, noting any points of disagreement in the submission. Jury instructions may not be submitted after the Final Pretrial Submission Date, unless they meet the standard of Rule 51(a)(2)(A), Fed. R. Civ. P. If this action is to be tried to the Court, proposed findings of fact and conclusions of law should be submitted by the Final Pretrial Submission Date.

TO BE COMPLETED BY THE COURT:

5. [Other directions to the parties]

6. The (next Case Management) (Final Pretrial Conference) is scheduled for Thursday, April 3, 2008 at 2:15 PM in Courtroom 20-C.

This ORDER may not be modified or the dates herein extended, except by further Order of this Court for good cause shown. Any application to modify or extend shall be made in a written application in accordance with paragraph 1(E) of the Court's Individual practices and shall be made no less than two (2) days prior to the expiration of the date sought to be extended.



Paul A. Crotty
United States District Judge

Dated: New York, New York
February 28, 2008